

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

C'ERRA DAWN CLARK,

Defendant.

CR-13-36-GF-BMM-01

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS OF MAGISTRATE
JUDGE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter October 12, 2016. (Doc. 92.) Clark waived the 14 day objection period to the Findings and Recommendations. When a party waives her right to make such objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 12, 2016. (Doc. 91.) Clark admitted that she violated the conditions of her supervised release. The violations prove serious and warrant revocation of Clark's supervised release. Judge Johnston has recommended that the Court revoke Clark's supervised release and commit Clark to the custody of the Bureau of Prisons for time served plus one day. (Doc. 92 at 5-6.) Judge Johnston further has recommended that Clark's term of custody be followed by 25 months of supervised release including a condition requiring Clark to reside in a residential reentry center for 180 days. (Doc. 92 at 5-6.)

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Clark's violations of her conditions represent a serious breach of the Court's trust. A sentence of time served plus one day followed by 25 months of supervised release, with the condition that Clark reside in a residential reentry center for 180 days, represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 92) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant C'erra Dawn Clark be sentenced to time served plus one day custody followed by 25 months of

supervised release, with the condition that Clark reside in a residential reentry center for 180 days. The conditions previously imposed shall be continued.

DATED this 12th day of October, 2016.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Brian Morris
United States District Court Judge